RECEIVED FOR RECORD
SEP 20 1974 When recorded mail to: OFFICE OF THE CITY CLERK NO FEE - 6103 Covernment CITY HALL - 3711 GRANGE STREET Riverside, California 92501 Signature CITY OF RIVERSIDE FOR RECORDER'S OFFICE USE ONLY CITY DEED NO. EASEMENT TO CITY OF RIVERSIDE Covering certain real property situate in the City of Riverside, County of Riverside, State of California Dated <u>July 29</u>

B41

122135

EASEMENT, Made this 29th day of July

197h, from THE ATCHISON, TOPEKA AND SANTA PE

RAILWAY COMPANY, a Delaware corporation, hereinafter called "Santa Fe," first party, to CIT: OF

RIVERSIDE, a California municipal corporation,
hereinafter called "City," second party.

IN CONSIDERATION of the sum of One Hundred Fifty Dollars (\$150), lawful money of the United States of America, and of other good and valuable consideration, the receipt whereof is hereby acknowledged, Santa Fe hereby grants to City an easement for public street purposes upon, over and across two parcels of land in the City of Riverside, County of Riverside, State of California, being a portion of The Atchison, Topeka and Santa Fe Railway Company's 100 foot wide right of way, as described in deeds to the Riverside,

Santa Ana and Los Angeles Railroad Company (predecessor in interest to first said railway company) recorded May 3, 1886, in Book 46, page 233, and June 22, 1886, in Book 47, page 242, all in the records of San Bernardino County being more particularly described as follows:

PARCEL NO. 1

All that portion of Lot 9 in Block 33 of 7he Lands of W. T. Sayward and S. C. Evans, on file in Book 3 of Maps, at page 2 thereof, records of San Hernardino County, described as follows:

Beginning at the intersection of the southerly line of said 100 foot wide right of way with a line that is parallel and distant 55.0 feet northeasterly measured at right angles from the center line of Adams Street (80.0 feet wide); thence North 14°00'00* West (bearing assumed for purpose of this descrip-

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tion) along said parallel line 100.66 feet to a point in the northerly line of said 100 foot wide right of way; thence South 49°26'00" West along said northerly line 15.10 feet to a point in the easterly line of Adams Street; thence South 34°(0° 00" East along said easterly line 100.66 feet to a point in said southerly line; thence North 49°26'00" East along said southerly line 15.10 feet to the point of beginning.

Containing an area of 0.0347 of an acre.

FARCEL NO. 2

* Georgi Hatthemy 51.19 11

All that portion of Lot 16 in Book 32 of The Lands of W. T. Sayward and S. C. Evans, on file in Book 3 of Maps, page 2 thereof, records of San Bernardino County, described as follows:

Beginning at the intersection of the southerly line of said 100 foot wide right of way with the casterly line of Adams Street (30.0 feet wide); thence westerly along said southerly line being the arc of a curve from whence a radial bears North 40° 30'34" West, concave northwesterly and having a radius of 5779.65 feet through a central angle of 0°08'59" a distance of 15.10 feet to a point in a line that is parallel with and distant 55.0 feet southwesterly measured at right angles from the center line of Adams Street; thence North 34°00'00" West along said parallel line 100.63 feet to a point in the northerly line of said 100 foot wide right of way; thence easterly along said northerly line being the arc of a curve from whence a radial bears North 40°28'20" West, concave northwesterly and having a radius of 5679.65 feet through a cantral angle of 0°09'09" a distance of 15.10 feet to a point in said westerly line of Adams Street; thence South 34°00'00" East along said westerly line 190.66 feet to the point of beginning.

Containing an area of 0.0347 of an acre.

Containing an area of 0.0347 of an acre.

EXCEPTING AND RESERVING the right to be exercised by Santa Fe, and by any others who have obtained, or may obtain, permission

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tion) along asid parallel ifne 100.56 feet to a point in the recomments time of wait the four wides in the cole wides in the of wait the four wides in the name required to the section of wait the same remained in the 15.16 feet to a point in the easteriy line of same shrents then become at the respectivities in the shrents in the long section in the long same reserving time in the feet a section in the contrary time; then were agreed as a section in the section of th

or authority from Santa Pe so to do, (a) to operate, maintain, renew and/or relocate any and all existing railroad track or tracks, wires, pipes and other facilities of like character upon, over or under the surface of the hereinabove described premises; and (b) from time to time to construct, operate, maintain, renew and/or relocate upon said premises additional facilities of the character described in Clause (a) of this paragraph, consistent with the rights granted herein, without in any instance being required to obtain the consent of the City the same as if this easement had not been executed.

TO HAVE AND TO HOLD said easement unto the City solely for public street purposes so long as the premises hereinabove described shall be so used, subject, however, to all licenses, leases, easements, restrictions, reservations, conditions, covenints, encumbrances, rights and rights of way, liens and claims of title which may in any wise affect the said premises and subject, also, to the express condition subsequent that if said premises, or any portion thereof, shall cease to be used for the purposes above stated, then, and in that event, the easement hereby given shall, as to such portion, or portions, as the case may be, thereupon cease and determine and Santa Fe, its successors and assigns, shall resume possession thereof the same as though this instrument had not been executed.

This instrument is given without warranty of thtle of any kind, express or implied, and no covenant of warranty of title

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shall be implied from the use of any word or words herein contained. In case of the eviction of City by anyone orming, or claiming title to or any interest in the premises hereinabove described, Santa Pe shall not be liable to City for any damage of

IN WITNESS WHEREOF, Santa Pe has duly executed this Easement the day and year first above written.

THE ATCHISON, TOPERA AND SANTA PERALLWAY COMPANY

CONSENT TO RECORDATION

THIS IS TO CERTIFY that the interest in real property convered by the Deed or Grant dated July 29, 1974 from The Atchisor, Topeks, and Santa Fe Reilvay Lompany, a beloware Corporation.

For All that Fortion of Let 9, 51ck 33, Landa of 5.1. Sayuard and 5.0. Evans, File Peak 3, Maps Page 2. Eccords of San Fernandino County, California to the City of Riverside, a Municipal Corporation, is hereby eccepted for and on behalf of said City pursuant to Resolution of the City Council thereof recorded on 12-29-66 by Inst. No. 123-60, Riverside County Records, and the Grantee hereby consents to recordation of this instrument through the undersigned.

Dated September 20, 1974

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Form No. 122-981

shall be implied from the use of any word or words herein contained.

In case of the evidence of tiey by anyone owning, or claiming tiele to ar any increase in the premises rareinshape decidence, dance in that not be likeliable to they are any dasage of any network whichoever.

STATE OF ILLINOIS)
COUNTY OF COOK ...)

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On this ______ day of _______, in the year one thousand nine hundred and seventy_____, before mo, ________, a Notary Public in and for said County of Cook, State of Illinois, personally appeared ________, known to me to be the Vice President of the corporation that executed the within and foregoing instrument, and known to me to be one of the persons who executed the maid instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its Board of Directors.

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In significations, dones its has doly essented this.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in said County the day and year in this certificate first above written.

Hotary Public in and for said County of Cook State of Illinois

(SEAL)

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On this _____ day of _____ buffers may
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STATE OF CALIFORNIA) DB.
COUNTY OF LOS ANGELES)

year one thousand nine hundred and seventy—five, before me,

Horold D. Smith , a Notary Public in and for said

County of Los Angeles, State of California, personally

appeared M. W. Lloyd , known to me to be the Assistant

Secretary of the corporation that executed the within and

foregoing instrument, and known to me to be one of the persons

who executed the said instrument on behalf of the corporation

therein named, and acknowledged to me that such corporation

executed the within instrument pursuant to its by-laws or a

resolution of its Board of Directors.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in said County the day and year in this certificate first above written.

OFFICIAL SEAL
HAROLD D. SMITH
NOTA W PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
My Commission Expires Oct. 14, 1978

Notary Public in and for said County of Los Angeles State of California

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RIVERSIDE ___ INTER - OFFICE

CO M MUNICATION

190-2

DATE June 6, 1975

TO:

Alice Hare, City Clerk

FROM:

SUBJECT:

George P. Hutchinson, Surveyor

alice a. Hara

CITY CLERK

Easement - Adams Street at AT&SF RR

Attached is a copy of Instrument No. 122135, dated September 20, 1974, which conveys an easement for widening Adams Street at the AT&SF RR Crossing. This copy has been attested and notarized properly but is not re-recordable. Our Legal Department suggests that, since the original is lost, this document be placed in your files, assigned a number, and be retained until the original is found. Should you have any questions, please call me at Ext. 347.

Attachment

cc: Barbara Purvis, Asst. City Attorney

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